

REMARKS

This Application has been carefully reviewed in light of the Office Action dated June 7, 2004. In order to advance prosecution of this Application, Claim 3 has been amended. Applicant respectfully requests reconsideration and favorable action for this Application.

Claims 1-24 stand rejected under 35 U.S.C. §102(a) as being anticipated by Malis, et al. As the Malis, et al. paper has a publication date less than one year prior to the effective filing date of the present Application, attached herewith is a Declaration Under 37 C.F.R. §1.131 by the inventors stating that the claimed invention was conceived and reduced to practice through diligence prior to the publication date of the Malis, et al. paper. Accompanying the Declaration Under 37 C.F.R. §1.131 is supporting documentation with dates redacted. Therefore, Applicant respectfully submits that Claims 1-24 are not anticipated by the Malis, et al. article.

An extension of time of three (3) months is respectfully requested and a Notification of Extension of Time Under 37 C.F.R. §1.136 with appropriate fee is attached hereto in support thereof.

CONCLUSION

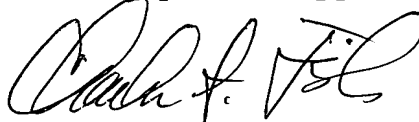
Applicant has now made an earnest attempt to place this Application in condition for allowance. For the foregoing reasons and for other reasons clearly apparent, Applicant respectfully requests reconsideration and full allowance of all pending claims.

The Commissioner is hereby authorized to charge any amount required or credit any overpayment to Deposit Account No. 02-0384 of BAKER BOTTS L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.

Attorneys for Applicant

A handwritten signature in black ink, appearing to read "Charles S. Fish", is written over the typed name.

Charles S. Fish

Reg. No. 35,870

December 6, 2004

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